

State of Utah  
DHRM  
PO Box 141531  
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Salt Lake City, Utah 84114

# Employee Handbook

*State of Utah*

*Department of Human Resource Management*

*January 2004 Version*

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Olene S. Walker  
Governor

J. Kim Christensen  
Executive Director

# State of Utah

## Department of Human Resource Management

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Dear Employee:

Welcome to state government! Thank you for joining our outstanding team of dedicated public servants.

Your skills, dedication, and enthusiasm are critical in delivering good government to the people of our state. In order to have good government, which of course our citizens expect and deserve, we must have good employees. So thanks for joining us and expanding our talented workforce. With your commitment and hard work, we will take our services and our contributions to our great state to an even higher level.

Your new employee packet contains valuable information to get you started. Pay particular attention to the health and dental insurance information which is such a key part of the compensation package offered you. There is also information about retirement, employee interest groups, our general rules and policies, and so forth. Note also that your particular department may have its own rules and policies which supplement the general rules included here. If so, make sure that you learn them and follow them.

Please carefully review all orientation materials provided in this packet. The brief effort you give to understand your benefits and the rules you will be expected to follow will be of great help to your success at the State.

It is an exciting time to be employed at the State of Utah. You join an extremely motivated and highly-skilled group of professionals. I wish you every success in your new position and am confident that you will find your state job challenging and rewarding. Best of luck!

Sincerely,

Kim Christensen  
Executive Director, DHRM

**Utah!**  
Where ideas connect™  
dhrm.utah.gov

# Introduction

## *DHRM Employee Handbook*

### **Disclaimer**

NOTHING CONTAINED IN THIS MANUAL CONSTITUTES A PROMISE OR CONTRACT OF ANY KIND. NONE OF THE BENEFITS OR POLICIES WITHIN THIS MANUAL ARE INTENDED BY REASON OF THEIR PUBLICATION TO CONFER ANY RIGHTS OR PRIVILEGES UPON YOU, OR TO ENTITLE YOU TO BE OR REMAIN EMPLOYED BY THE STATE.

THE CONTENTS OF THIS MANUAL ARE PRESENTED AS A MATTER OF INFORMATION ONLY AND ARE SUPERSEDED BY THE RULES, POLICIES AND PROCEDURES, AS ESTABLISHED BY THE DEPARTMENT OF HUMAN RESOURCE MANAGEMENT (DHRM), WHICH GOVERN ALL APPOINTMENTS WITHIN THE STATE CAREER SERVICE SYSTEM. WHILE THE STATE BELIEVES WHOLEHEARTEDLY IN THE PLANS, POLICIES AND PROCEDURES DESCRIBED HEREIN, THEY ARE NOT CONDITIONS OF EMPLOYMENT AND ARE SUBJECT TO CHANGE AT ANY TIME AT THE DISCRETION OF THE EMPLOYER.

### **DHRM Mission Statement**

**Develop, implement and administer a statewide human resource management system for state employees.**

- Promote quality government that aids in the effective execution of public policy.
- Attract and retain quality employees and foster productive and meaningful careers in public service.
- Develop effective relationships that aid in rendering assistance to agencies in performing their missions and working with customers and stakeholders.

# References

## Job Appointments

The state employment system consists of three types of appointments:

- **Exempt Appointments:** These appointments are exempt from career service and may be filled through any non-competitive process deemed appropriate in keeping with state policies on non-discrimination in employment. Employees serve at the pleasure of the appointing officer in an "at will" status and may be terminated at any time **without cause**.
- **Probationary Appointments:** Probationary appointments are considered part of the selection process. The appointment allows agency management to make judgments about an employee's ability to perform the duties of the position to which he or she has been appointed. This time period allows management to make the determination if the employee should be retained and awarded career service status.
- **Competitive Career Service Appointments:** Selection of career service employees is governed by merit principles through a competitive process. Career service status is acquired upon successful completion of a probationary period, in a position covered by the career service.

## Employment Websites

Refer to these Websites for information on employment benefits and policies.

### Benefit Options

- PEHP – [www.pehp.org](http://www.pehp.org) (PEHP, Exclusive, Summit and Comprehensive Coverage)
- Dental Select – [www.dentalselect.com](http://www.dentalselect.com)
- Knighton Optical Vision Care – [www.benchoice.com](http://www.benchoice.com)
- Opticare of Utah – [www.opticareofutah.com](http://www.opticareofutah.com)
- PEHPPLUS – [www.pehpplus.com](http://www.pehpplus.com)
- Utah Retirement Systems – [www.urs.org](http://www.urs.org)
- Wells Fargo Flex Benefit Services – [www.wffbs.com](http://www.wffbs.com)
- Hyatt Legal Plans – [www.legalplans.com](http://www.legalplans.com)

## General Information

- Career Service Review Board – [www.csrb.utah.gov](http://www.csrb.utah.gov)
- Department of Human Resource Management – [www.dhrm.utah.gov](http://www.dhrm.utah.gov)
- ITS Resources – Acceptable Use Policy – [www.das.utah.gov/policies.htm](http://www.das.utah.gov/policies.htm)
- State Motor Pool – [www.fleet.utah.gov](http://www.fleet.utah.gov)
- Utah Job Match – [www.statejobs.utah.gov](http://www.statejobs.utah.gov)
- MetLife – Auto & Home – 1-800-438-6381
- Mountain America Credit Union – [www.mtnamerica.org](http://www.mtnamerica.org)

## Legislation

- U.S. Department of Labor – [www.dol.gov](http://www.dol.gov)
- Equal Employment Opportunity Commission – [www.eeoc.gov](http://www.eeoc.gov)

## Employment Acronyms

During your employment with the State of Utah you will hear a lot of acronyms, some you may already be familiar with, others may be new to you.

ADA -- Americans with Disabilities Act passed (1990) to protect the rights of disabled persons from discriminatory hiring practices.

COBRA—Consolidated Omnibus Budget Reconciliation Act of 1986 to guarantee individuals who change jobs or who are temporarily between jobs maintains their health insurance.

DOL – Department of Labor.

FMLA — Family Medical Leave Act of 1993 allows “eligible” employees of a covered employer to take job-protected, unpaid leave. (See detailed information in Misc. Section in Section 4)

FLSA—Fair Labor Standards Act protects employees from unfair employment policies such as overtime for those who qualify without pay and the employment of children.

GRAMA—Government Records Access and Management Act (1992) sets forth guidelines for classifying information in government records based upon who has the right to access that information.

## **Employment Legislation**

### **Political Activity**

State career service employees in all salary ranges and positions are free to voluntarily participate in political activity subject to 67-19-19, UCA and the following provisions of the Human Resource Management Rules:

- Any career service employee elected to any partisan or full time non-partisan political office will be granted a leave of absence without pay for time when monetary compensation is received or service in a political office. Annual leave shall not be granted to employees while serving in a political office.
- Hours of employment shall not be used for political activity, although annual leave or leave without pay may be taken for such activities. No person in state government may solicit political contributions from employees during hours of employment. State employees are free to offer voluntary contributions to the party or political candidate of their choice.
- Some employees of the state working with federally funded programs may be under the restriction of the Federal Hatch Act. This would place further restrictions on their political activity.

### **Hatch Act Guidelines**

#### **Permitted Activities**

Covered state and local employees **may**-

- run for public office in nonpartisan elections
- campaign for and hold office in political clubs and organizations
- actively campaign for candidates for public office in partisan and nonpartisan elections
- contribute money to political organizations and attend political fundraising functions

#### **Prohibited Activities**

Covered state and local employees **may not**-

- be candidates for public office in a partisan election
- use official authority or influence to interfere with or affect the results of an election or nomination
- directly or indirectly coerce contributions from subordinates in support of a political party or candidate

#### **Penalties for Violating the Hatch Act**

If the Merit Systems Protection Board finds that the violation warrants dismissal from employment, the employing agency must either remove the employee or forfeit a portion of the federal assistance equal to two years salary of the employee. If the Board finds the violation does not warrant the employee's removal, no penalty is imposed.

- Members of the State Highway Patrol may not use their official authority or influences for the purpose of interfering with any election. No person may induce or attempt to induce any member of the State Highway Patrol to participate in any prohibited political activity.

Partisan political activity shall not be a basis for employment, promotion, demotion, or dismissal of state employees. The state rules also provide for disciplinary action if the provisions of the law governing political activity have been disregarded or violated. Any violations of these activities are to be reported in writing to the Executive Director of the Department of Human Resource Management who is obligated to investigate the allegation. Any willful violation of these provisions could result in suspension without pay and possible termination as determined by the employee's department head in consultation with the Executive Director of the Department of Human Resource Management.

## **Title VII--Harassment in the Workplace**

In June 1999, the Equal Employment Opportunity Commission (EEOC) issued new enforcement guidelines for Title VII of the 1964 Civil Rights Act. The guidelines expanded the definition of harassment beyond sexual harassment to include harassment involving discriminatory treatment based on race, color, religion, sex, age, national origin, disability or protected activity.

Harassment is prohibited under DHRM Rule R477- 15. Unlawful harassment includes behavior or conduct that is unwelcome, pervasive, demeaning, ridiculing, derisive, or coercive, and results in a hostile, offensive, or intimidating work environment; or behavior or conduct that results in tangible employment action being taken against the harassed employee. Individuals affected by unlawful harassment may file complaints and engage in an administrative process free from bias, collusion, intimidation or retaliation under DHRM Rule R477-15. Any act of retaliation toward the complainant, witnesses, or others involved in the investigation will be subject to corrective or disciplinary action. However, those who submit malicious or frivolous complaints will also be subject to disciplinary action in accordance with DHRM rules.

A complaint of unlawful harassment may be submitted in accordance with an agency's approved complaint procedure, directly to DHRM or the Anti-Discrimination and Labor Division (UALD) or the Equal Employment Opportunity Commission.

## **Grievance Procedures**

### *Position Classification Grievances*

The Career Service Review Board does not administer grievances regarding position classification or schedule assignment Board. These grievances are heard through a two step process defined in the Human Resource Management Rules.

- Step 1:** Career service employees may grieve a classification decision involving the duties and responsibilities of their own position to a Classification Grievance Panel, as assigned by the Executive Director, DHRM. The Executive Director, DHRM shall make a decision upon receiving recommendations from the Panel.
- Step 2:** The grievant may grieve the Executive Director's decision to an impartial classification hearing officer contracted by the State. The hearing officer shall review the classification and make a final decision.



## *State Employee Grievance Procedures*

If any career service employee has a problem or complaint, every effort should be made to resolve the matter through discussion with the immediate supervisor. If a satisfactory resolution cannot be reached, the state of Utah has established a formal, fair and prompt means of processing grievances. Information about the grievance procedure can be found in the pamphlet, "Guide to the State Employee Grievance Procedure," which can be obtained from your human resource office, DHRM, or the Career Service Review Board. In addition, employees have access to a mediation process as means for resolving grievance issues. For more information on this service, see the Employment Policies and Procedures section of this manual.

### **Nepotism Act—Hiring of Relatives and Those with a Personal Relationship**

*(a) Utah Code Section 52-3-1 (Nepotism Act); (b) DHRM Rule R477-2-8*

**Purpose:** To provide guidance on the state's Nepotism Act which makes it unlawful to appoint, supervise or make salary or performance recommendations for a relative. Additionally, this policy defines the Department of Human Resource Management's extension of these prohibitions to include those persons with whom there is a close, personal relationship and any companies where such individuals or relatives are employed or they have any ownership. It also discourages and requires disclosure of the practice of hiring of relatives or others with whom there is a close personal relationship in the same division.

### **Ethics Act-- Standards for Ethical Conduct**

The ethical conduct of public employees is a primary concern of state government. The citizens of Utah rightfully demand ethical and responsible behavior from their public servants.

You are encouraged to read and become familiar with UCA 67-16, Utah Code Annotated, the "Utah Public Officers' and Employees' Ethics Act", the basic law governing public employees' behavior. The Utah Code is available at the State Library, most public libraries and in most state agencies.

R477-9, Employee Conduct, of the Human Resource Management Rules requires employees to:

- 1) Fully apply themselves to their assigned duties during their assigned working hours.
- 2) Meet standards established in their individual performance plans.
- 3) Make frugal use of state resources.
- 4) Observe workplace rules.
- 5) Comply with general state administrative policies and rules.

Employees may access current Human Resource Management rules on DHRM's Internet home page at [www.dhrm.utah.gov](http://www.dhrm.utah.gov) or obtain personal hard copies through the Division of Central Stores for a nominal fee.

# Employment Guidelines

## Incompatible Outside Activities

State employment shall be considered the principle vocation of full time employees. However, an employee may engage in outside employment or dual state employment, providing it does not:

- Interfere with efficient performance of the employee's state position.
- Conflict with the agency or the state of Utah's interest.
- Reasonably give rise to criticism or suspicion of conflicting interests or duties.
- Violate the state ethics law or rules.

An employee may be required to obtain written approval from the department head to continue or to obtain outside employment in accordance with 67-16-4, UCA if there is potential for conflict with primary employment.

The Ethics Act also covers the following:

- Prohibition of improperly disclosing or using confidential information resulting from employment in a state agency.
- Accepting gifts shall be limited to occasional occurrences of non-cash gifts and limited to a maximum of \$50.00 in value.
- Disclosure of substantial interest in a business regulated by an agency with which an individual is employed.
- Prohibition against receiving compensation for any transaction involving state agencies and a business in which the individual has a substantial interest. Employees shall not receive outside compensation for their performance of state duties except in cases of:
  - a) Awards for meritorious public contribution (publicly awarded)
  - b) Receipts of honoraria or expenses paid for papers, talks, demonstrations, or appearances made by employees with the approval of the administrative authority, and on their own time, not at the state's expense.
  - c) Receipt of usual social amenities, ceremonial gifts or insubstantial advertising gifts.

Employees should report any conflict of interest that will or may occur as a result of employment by the state or by interest or involvement with outside entities. When an employee is required by the responsibilities of his/her position to take an action or make a decision which could be interpreted as a conflict of interest, the employee shall declare the potential conflict and may be excused by administrative authority from so acting. Any questions or doubts should be discussed with supervisors.

No employee shall induce or attempt to induce another employee to violate this chapter.

All public employees are subject to this law.

Dismissal, including possible criminal charges, may be imposed depending on the severity of the violation. Dismissal is required where the individual knowingly and willfully violated the law.

## **Resignation**

Employees who plan to resign from state employment should let their employer know within 10 working days prior to the effective date of resignation. A written notice is desirable but not mandatory.

An employee who is absent from work for three consecutive days and does not inform the supervisor shall be considered to have abandoned his/her position and may be dismissed. The employee shall be informed in writing by the appointing authority of the action taken.

## **Performance Appraisal**

The State of Utah has a performance management system designed to assist employees and supervisors to accurately define job expectations of the employee in a performance plan. The plan (which may vary somewhat among agencies) will be based on performance standards mutually understood and agreed upon employee and supervisor. Employees receive performance evaluations annually. Standards are job-related and developed out of the position description from the employee's performance plans. Developing a performance plan requires a process of communication between employee and supervisor to determine results the employee will be held accountable for, and how both parties will know the results are accomplished. As an employee, you have right to know how you are performing in relation to the established standards through periodic informal reviews and feedback from your supervisor. You also are entitled to know the time frame and action that will be taken should your performance be judged unsuccessful. Your supervisor is obligated to play a critical role to help you progress and correct deficiencies in order to gain job skills necessary to be a successful employee.

## **Employee Development**

The state sponsors programs to help you in your development as a state employee. The state may assist or provide development opportunities where there is a positive expectation of benefit to the state as well as the employee. One of these programs is educational assistance. Agencies may budget funds to assist you in attending classes at universities or colleges in our state. Under current rules you may receive partial or full payment for these costs up to a maximum of \$5,250 in a calendar year. You are required, however, to maintain a certain level of academic excellence in your grades and you must repay to the state any assistance paid in your behalf if you voluntarily terminate within 12 months of receiving educational assistance. Each agency has its own policy to govern the manner in which they allocate and use their educational assistance funds. Contact your agency human resource representative for specific agency information. Refer to Human Resource Management Rules R477-10-5.

The state is continually developing training programs designed to assist you and others in maintaining or updating the skills you need to be a productive state employee. You will be notified through your supervisor or agency when any of this training becomes available. The state encourages career exchange programs that include career mobility and job swapping in which employees may be assigned to another state agency or another jurisdiction to broaden their horizons or to acquire new skills. If you are interested in any of these, you may contact your supervisor or the human resource representative in your agency.

# Employment Policies and Procedures

## Employee Assistance

The State of Utah believes the personal lives of employees are their own affair. Yet, the increasing pressures and changing influences of society continue to prove that very few of us get through adult life without some personal stress. When such difficulties detract from a valuable employee's effectiveness, the state is concerned both for the employee's welfare and the needed job efficiency. Help is provided to state employees in areas that may affect the job, such as poor interpersonal relationships, drinking problem, drug abuse, emotional problems, financial management, or a personal crisis in the employee's life. State policy relevant to personal problems provides that employees may use sick or annual leave to obtain needed treatment and assistance with problems without jeopardy to job security or promotional opportunities.

In instances where personal problems have a negative effect on job performance, supervisors may take corrective action, which may include a referral for personal counseling or a "fitness for duty" evaluation. If a fitness for duty evaluation is required, the designated employee assistance provider may be required to report back to the employer.

The provision for counseling through an Employee Assistance Program is a departmental option. Where a program is not available, Department of Human Resource Management staff may provide employees with referral information to community practitioners. Referrals and services are confidential unless reports are required as part of a fitness for duty evaluation. Contact the human resource representative in your agency or DHRM (538-3025) for additional information.

## Fair Employment Practices

The state of Utah encourages and enforces fair employment practices by:

- 1) Protecting the civil rights of all employees and prospective employees;
- 2) Establishing a work force that is representative of Utah's available labor force;
- 3) Providing a work environment free of prohibited discrimination or sexual harassment; and
- 4) Providing a work environment and development opportunities that heighten productivity by both employees and agencies.

Any employee alleging discrimination may submit a claim to an agency executive director or commissioner. If the employee does not agree with the decision of the agency executive director or commissioner, the employee may file a complaint with the Utah Anti-discrimination Division. No actions by any state official shall preclude any employee from timely filing of a discrimination complaint in accordance with state and federal requirements.

## Workplace Violence

An important aspect of workplace safety is prevention of workplace violence. Murder is the number one cause of workplace fatalities for women, and the number two cause of workplace fatalities for all workers. Threats of violence or violent acts in the workplace will not be tolerated, and are grounds for discipline under DHRM Rules R477-11.

## Leave

### Holidays

Holiday	Date
New Year's Day	January 1
Dr. Martin Luther King, Jr. Day	Third Monday of January
President's Day	Third Monday of February
Memorial Day	Last Monday in May
Independence Day	July 4
Pioneer Day	July 24
Labor Day	First Monday of September
Columbus Day	Second Monday of October
Veterans' day	November 11
Thanksgiving Day	Fourth Thursday of November
Christmas Day	December 25

### Annual Leave

Years of Employment	Hours per Pay Period
0 through 5 years	4 hours per pay period
6 through 10 years	5 hours per pay period
11 through 20 years	6 hours per pay period
21 years and over	7 hours per pay period

Annual leave may be accumulated up to 320 hours. It may be taken in increments as small as one hour. While agency approval must be given, it can generally be taken when desired by the employee.

**Sick Leave**

Sick leave accrues at a rate of 4 hours per pay period for full-time employees and may be accumulated without limit. Sick leave by definition is a contingent benefit and may be taken only when illness or injury of the employee requires it. Sick leave may also be used for preventative health and dental care, and the illness, injury or temporary disability of a spouse or dependents living in the employee's home.

There are also provisions to convert excess sick leave after a base amount of 144 hours has been accumulated. See Department of Human Resource Management Rules for details.

**Military Leave**

Up to 15 working days (120 hours) are provided for members of a Federal Reserve or state National Guard Unit. This does not reduce any other leave benefit. Military leave will be granted for annual field encampments, small arms competitions, and other unit training activities.

**Funeral Leave**

Up to three days per occurrence is available to attend the funeral of a deceased member of your immediate family (as defined in DHRM Rule R477-7-9).

**Administrative Leave**

At agency discretion, up to 10 consecutive working days may be granted for exceptional situations.

**Job Worth/Salary Range Determination**

How much is your job worth? The Department of Human Resource Management in coordination with agency human resource management determines the salary ranges for job classes in the state. This determination combines two separate and distinct processes. The first part of the process classifies positions based on the review and analysis of duties and responsibilities performed. In this process, employees and their supervisors provide human resource personnel with information about their jobs to include knowledge, skills, duties, responsibilities, and other qualifications necessary to perform competently.

The second part of the process includes making direct salary comparisons with market by conducting salary surveys to determine appropriate salary ranges. These surveys are usually conducted every year to ensure that the state is competitive with respect to salaries and benefits.

**Paycheck and Payroll Deductions**

Employees are paid bi-weekly, receiving 26 paychecks per year. Payday is scheduled every other Friday. The following deductions are automatically taken out of salaries:

- 1) Federal income tax
- 2) State income tax
- 3) FICA (Social Security)

Arrangements may be made for optional deductions, which are open to regularly employed individuals (permanent, part-time or full-time) who work 20 or more hours per week. Options include:

- |                                    |                      |
|------------------------------------|----------------------|
| 1) Insurance plans                 | 5) US Savings Bonds  |
| 2) Hospital-medical plans          | 6) Charitable funds  |
| 3) Credit unions                   | 7) Tax shelter funds |
| 4) Employee associations or unions |                      |

### **Direct Deposit**

Employees can avoid long lines to deposit checks by signing up for Direct Deposit. The employee simply obtains an authorization card from his/her payroll clerk and attaches a deposit slip from his/her bank. The employee sends these forms to the division payroll clerk who forwards them to the Payroll Section within the Division of Finance. Within four to six weeks your checks will be automatically deposited.

### **Salary Increases**

Employees receive salary increases when funds are appropriated by the Legislature. There are two types of salary increases:

- 1) **Performance based increases**-or merit increases, are given to employees who receive successful performance evaluations at the end of each fiscal year.
- 2) **Non-performance based increases**-include market comparability adjustments and cost of living adjustments (COLA). These increases are granted according to the annual appropriations established by the Legislature.

For information on promotions, advancements within a job series and/or reassignments contact your supervisor, your department human resource representative, or the Department of Human Resource Management.

### **Reduction-In-Force**

A career service employee who is separated from state employment through a reduction-in-force shall be placed on reappointment register for a period of twelve (12) months from the date of separation, and may be reinstated in a state position for which qualified.

### **Drug Free Workplace**

The Department of Human Resource Management, in accordance with its statutory responsibility for statewide personnel programs, and in the interest of maintaining public trust and promoting efficient execution of public policy, has a compelling obligation to eliminate illegal drug use from the workplace.

Illegal drug use conflicts with and is contrary to state law, the Federal Drug-Free Workplace Act of 1988, the Omnibus Transportation Employee Testing Act of 1991, and Human Resource Management Rules. Unlawful possession, use, distribution or manufacturing of alcohol or other drugs in the workplace is prohibited. Involvement of any type with alcohol and/or other drugs that interferes with an employee's ability to perform their duties, regardless of where the drugs are consumed, is also a concern that must be addressed by the supervisor as well as the individual. Violation of drug-free rules and laws may result in disciplinary action, which could include termination.

It is the policy of the state that the workplace will be drug free. Employees with problems related to substance abuse will be encouraged to seek assistance through department employee assistance programs or private services. All employee assistance referrals will be kept strictly confidential.

A drug-testing program shall be implemented statewide, in accordance with Department of Human Resource Management procedures. Certain "safety sensitive" positions are subject to pre-employment drug testing and random testing after hire. Any state employee may be required to take a drug test if there is reasonable suspicion that illegal drugs are being used on the job. All collection and testing will be conducted in strict accordance with the Substance Abuse and Mental Health Services Administration (SAMHSA) guidelines. An employee who fails to submit to a test, as outlined in DHRM Drug and Alcohol Testing Procedure Manual, will be subject to disciplinary action, including possible termination.

Additional information relative to this policy may be found in the State of Utah, Drug and Alcohol Testing Policy and Procedure Manual.

### **Mediation--CSRB And DHRM Pilot Mediation Program**

Have you ever been involved in a grievance hearing? How much time and emotional energy did it take to prepare?

Were you:

- Intimidated by the formal setting and the number of people involved?
- Frustrated with the amount of time and bureaucracy involved?
- Anxiously waiting and wondering what would happen?
- Wondering if people heard and understood your issues?
- Worried about your grievance becoming part of a public record?

Do you wish there was a way you could simply talk to the other person confidentially and work out a solution together? Now there is!

The Governor signed an Executive Order on Alternate Dispute Resolution (ADR) in May, 2003. This order created an ADR Council to implement additional ways to resolve issues in state agencies. Mediation is one form of ADR. Under the direction of the ADR Council, the Career Service Review Board (CSRB) and Department of Human Resource Management (DHRM) are delighted to announce a pilot mediation program for state employee grievances.

### **What is mediation?**

Mediation is a voluntary, confidential and collaborative approach that helps individuals resolve issues themselves. In mediation, you work directly with the other party to create mutually agreeable solutions. This is not a "discovery" process. Minimal records are kept, and mediators are bound by ethical standards that prevent the sharing of any information from the mediation session.



## **How does it work?**

Trained mediators will assist you through a structured mediation session. The mediator is a neutral third party with no material prior relationship with either party. Mediators have expertise in communication and problem solving. Their only role is to help the parties determine the best way to resolve an issue. One goal of mediation is to create a level playing field that enables each person to negotiate in their own best interest and to speak confidentially, in a very frank and direct way. Self determination is another important aspect of mediation. In a formal grievance, you present your case and wait for a higher authority to decide. You may or may not be satisfied with the results of the grievance. In mediation, you create your own solutions and agree to solutions you can live with.

For more information about this program or the ADR Council, link to the following websites:

[www.dhrm.utah.gov](http://www.dhrm.utah.gov)

<http://www.tax.utah.gov/adr>

[www.csr.utah.gov](http://www.csr.utah.gov)

## **Safety**

No job or service is so important and urgent that safety should be neglected in performing the work. Safety is a state of mind that involves thinking about everything that is done. Equipment, materials, and operations must be understood before they are utilized. Unsafe conditions and circumstance involving accidents should be reported immediately to the supervisor.

# Benefits

The state has an excellent benefit program that meets many of the needs of a typical employee and provides a substantial addition to the salary you receive. Benefits for career service employees come in two forms:

- 1) Benefits with an actual dollar cost such as retirement, insurance, etc.
- 2) Leave benefits.

## Health Insurance

The state offers a variety of health coverage options.

- 1) Preferred Care- a Preferred Provider Organization (PPO) with over 4000 contracted doctors, hospitals, etc. comprising the PEHP Preferred Provider Panel. Preferred Care allows employees to choose any provider, and does not require selecting a “Gatekeeper” or Primary Care Provider (PCP).
- 2) Two Health Maintenance Organizations (HMO)
  - a) Exclusive Care-requires members to select a PCP.
  - b) Summit Care-does not require members to select a PCP or get referrals for specialty care.
- 3) Comprehensive Care-a major medical plan with a \$100 front-end deductible with most benefits paid at 80 percent after deductible. This plan is only available where Exclusive and/or Summit Care plans are not available.

Review your *Comparison of Benefits* booklet for a brief description of each of the plans available to you. This booklet is included in your orientation packet along with plan brochures containing additional information.

## Dental Insurance

Similar options are available to you for dental coverage. The dental plan you choose does not have to be the same as your health plan, if the provider you choose offers both a medical and dental plan. Your *Comparison of Benefits* booklet also contains important information on each of the dental plans available to you.

## Vision Care

Vision benefits are available that include regular exams and discounts on frames and lenses. Check the individual provider’s brochures for details. A premium-based optical plan offering additional benefits is also available to all eligible employees.

## **Life Insurance**

A basic life insurance amount of \$25,000 is provided by the state to all eligible employees at no cost to the employee. Additional amounts of coverage up to \$300,000 are available to the employee at employee expense.

Optional Group Term Life Insurance is also available for an employee's spouse and children. This plan provides coverage up to \$300,000 for a spouse and \$10,000 for each dependent child. If you are a single parent, you have the option of using this plan to provide coverage for your children only. This plan is optional and the employee pays the premium in full.

Merit-exempt employees may be eligible to receive additional state-paid life insurance. The amount of additional insurance varies from \$125,000 up to \$200,000 and is dependent on an employee's annual salary. Eligibility for this additional coverage may be conditional, pending final review and approval upon completion of a health statement and any required testing.

## **Disability Insurance**

A Long-Term Disability (LTD) plan is provided to all eligible employees without cost to the employee.

## **Worker's Compensation**

Employees and volunteers of the state are covered against injuries or illness as a direct result of the performance of duties in the position.

## **Accident Insurance**

An optional Accidental Death and Dismemberment (AD&D) plan is available at employee expense. This program includes a death benefit, a medical expense reimbursement feature, and an income replacement feature.

## **Continuation of Health Benefits (COBRA)**

You and your dependents are eligible to continue your health and dental coverage at your cost for up to 18 months when termination of insurance is due to a reduction in your hours worked, or upon termination of your employment. The federal law requiring this is commonly referred to as COBRA (Consolidated Omnibus Budget Reconciliation Act).

Your dependents are eligible to continue their insurance for up to 36 months upon the occurrence of one of the following:

- a) The spouse and children upon the death of the covered employee.
- b) The spouse, upon divorce or legal separation, from the employee.
- c) The spouse and children of Medicare-eligible employees when the employee ceases to participate in the employer-sponsored plan.
- d) Dependent children when they cease to be a dependent child under the definition in the policy.

The insurance cannot be continued beyond any of the following dates:

- a) The date on which the employer ceases to provide any group health plan to any employee. If any group health insurance policy ceases to be in force with regard to employees of the employer, it would be your employer's obligation to allow you or your dependent(s) to continue coverage under any replacing group policy or policies.
- b) The date the premium is not paid by the individual.
- c) When the individual becomes covered under any other group health plan or is entitled to Medicare benefits.
- d) If the spouse remarries and becomes covered under another group health plan.

Upon termination, you will receive a Continuation of Coverage Election Form that will be mailed to your home address. This form will enable you and your spouse to elect or reject continuation of group health coverage. You are responsible for providing your employer with current information as to your family status (i.e., separation, divorce, or dependent ineligibility for coverage).

Your election to continue coverage must be completed within 60 days after you receive the Continuation of Coverage Election Form, or your termination date, whichever occurs last. Benefits provided should be identical to coverage provided for active full time employees and dependents that have insurance under the plan but have not yet terminated their coverage. The cost to continue coverage is paid for by the individual. Within 180 days before the expiration of your continuation of coverage, you shall have a right to convert to a conversion policy if such a policy is a part of the group health plan at the time of your termination and is being offered to other active full-time employees under the plan.

Questions regarding your right to continue insurance after your termination date should be addressed to: Public Employees Health Program, 540 East 200 South, Salt Lake City, UT 84102, (801) 366-7501.

## **Unemployment Insurance**

The laws on unemployment benefits cover employees of state governments. If state employees are terminated as a result of elimination of programs, budgetary problems, etc., in most cases they will be eligible for unemployment benefits. The Department of Workforce Services determines eligibility requirements for these benefits.

## Social Security

State employees contribute to the Social Security program and are thereby eligible for all benefits (e.g., old age, disability, and survivor) provided through it. The Utah Retirement Systems will pay retirement and other benefits to eligible, retiring employees.

## Retirement

The state administers various retirement plans for eligible state employees including Public Employees Non-contributory system, Public Safety Retirements system and the Judges Retirement System. A brief description of each is included below. For more detailed information on the retirement systems contact your agency human resource representative or the Utah State Retirement office.

- ***Public Employees Non-Contributory Retirement System:***  
This retirement system covers the large majority of state employees. It is a non-contributory plan, which means that the state pays the entire contribution. Employees are vested in this retirement system after four years.
- ***Public Safety Retirement System:***  
This system covers law enforcement and closely related fields such as investigators and correctional officers. It is also a non-contributory, defined benefit system. Employees in this retirement system are vested after four years and may retire with twenty years of service.
- ***Judges Retirement System:***  
The Judges Retirement System is a contributory defined benefit plan requiring a nominal contribution by the participant. It vests after six years of service.

## Deferred Compensation

The state offers two plans for employees to set aside a portion of their salary for long-term savings, enabling them to reduce gross taxable income and supplement their retirement income. For both plans, employees must choose how to invest the money set aside into either account. There are a variety of investment options associated with these plans, including but not limited to a large cap stock index fund, a large cap growth fund, a small cap growth fund, an international stock fund, a bond fund, and a money market fund. Your options include:

1. **401 (k):** This is a program approved by the federal government as a profit sharing plan for the private sector. However, public sector employers with IRS approval for such plans prior to November 1985 may continue to offer this option to employees. The State will contribute an amount equivalent to 1.5% of an employee's salary into a 401(k). Employees may contribute as little as \$10 a pay period OR up to approximately 100% of gross salary into a 401(k). For information on the maximum allowed dollar contribution (currently \$11,000) withdrawal allowances and penalties, *etc.*, contact the Utah Retirement Systems office (366-7720 or 1-800-688-401k).

2. **457:** This program is approved by the federal government for employees of state and local governments, and certain non-profit organizations, to set aside approximately 100% of gross salary or \$11,000, whichever is less, into this tax deferred savings account. There are restrictions on withdrawal, but they are somewhat less strict than those for the 401 (k) or IRA's. Withdrawals are taxed as current income.

### **Flexible Spending Accounts**

The state, under authorization of the Legislature, has implemented reimbursement accounts under this IRS approved program. This program allows employees to have medical and dependent care costs exempted from taxes. The employee's share of health and dental premiums are automatically administered through the FLEX\$ plan. Employees use this plan by identifying out-of-pocket cost for health care expenses (including dental and vision expenses) that have not been paid by insurance. Likewise, employees may claim dependent care expenses they wish to have exempted. New employees must submit their enrollment form to Wells Fargo Flex Benefit Services within 60 days of joining state employment. If you did not receive the enrollment form and FLEX\$ plan information with your orientation packet, you can request these from your agency Human Resource office or from Wells Fargo Flex Benefit Services. Enrollment for current employees is held in November of each year. Employees previously enrolled and participating in this program must re-enroll every year; re-enrollment is not automatic.